

To: Stalcup, Dana[Stalcup.Dana@epa.gov]
From: Wells, Suzanne
Sent: Fri 8/28/2015 5:15:08 PM
Subject: FW: First draft of Q&As, and another question about the Internal Review Report

Suzanne Wells

Chief, Community Involvement and Program Initiatives Branch

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1200 Pennsylvania Avenue, NW

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From: Cohen, Nancy
Sent: Friday, August 28, 2015 12:16 PM
To: Wells, Suzanne; Deitz, Randy
Cc: Hawkins, CherylA
Subject: RE: First draft of Q&As, and another question about the Internal Review Report

Suzanne: right that's why when we spoke I raised the official transcript and I already requested it and looped in OPA HQ, nancy

Nancy Cohen

U.S. EPA OSWER

202.566.0171

From: Wells, Suzanne

Sent: Friday, August 28, 2015 12:10 PM

To: Deitz, Randy; Cohen, Nancy

Cc: Hawkins, CherylA

Subject: RE: First draft of Q&As, and another question about the Internal Review Report

Randy and Nancy,

I'm suggesting that we not finalize the Q&As that were developed to prepare Mathy for the press conference on the release of the internal review report. These were hypothetical questions that people thought might be asked. They were never released outside of the Agency. Some of the questions, I don't think we want to be on the record answering right now until more is known and the independent evaluation is completed, e.g., "Who made the mistake?" or "Was the OSC being irresponsible?" or "Why did they go ahead even though documents show they know there could be a blowout?"

I think it is better to wait for the official transcript of the questions that were asked at the press conference, and then see if we want to augment the official transcript with additional questions. Some of the questions, if they aren't on the official transcript, might be helpful to add, e.g., "Why was the Region involved in site activities."

Please let me know if you agree with this approach.

Suzanne Wells

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From: Deitz, Randy

Sent: Thursday, August 27, 2015 1:35 PM

To: EOC Solid Waste

Cc: Wells, Suzanne; Gartner, Lois; Stalcup, Dana; Keller, Melanie; Mahmud, Shahid; Hawkins, CherylA; EOC Technical Specialist; Fitz-James, Schatzi

Subject: RE: First draft of Q&As, and another question about the Internal Review Report

I will take a look and offer up some suggestions by COB today. Thanks.

Randy Deitz

Attorney Advisor

Office of Solid Waste and Emergency Response

(202) 566-0197

From: Keller, Melanie **On Behalf Of** EOC Solid Waste

Sent: Thursday, August 27, 2015 12:58 PM

To: Deitz, Randy
Cc: Wells, Suzanne; Gartner, Lois; Stalcup, Dana; Keller, Melanie; Mahmud, Shahid; Hawkins, CherylA; EOC Technical Specialist; Fitz-James, Schatzi
Subject: Re: First draft of Q&As, and another question about the Internal Review Report

Thank you, Randy.

OSRTI can work to do some QA/QC and editing. Did certain things jump out at you (i.e, where should we start, or is it an overall scrubbing of the doc)? Any suggestions would be appreciated

-melanie

From: Deitz, Randy
Sent: Thursday, August 27, 2015 12:51 PM
To: EOC Solid Waste
Cc: Wells, Suzanne; Gartner, Lois; Stalcup, Dana; Keller, Melanie; Mahmud, Shahid; Hawkins, CherylA; EOC Technical Specialist
Subject: RE: First draft of Q&As, and another question about the Internal Review Report

I just spoke with Barry. The QA prepared for Mathy for preparation to do the press call have not been cleared for other uses such as FAQ's or to respond to press inquiries etc. They would need to be further QA/QC and likely revisions if they were to be used as FAQs or for use as responses to news or pubic inquiries.

Randy Deitz

Attorney Advisor

Office of Solid Waste and Emergency Response

(202) 566-0197

From: Keller, Melanie **On Behalf Of** EOC Solid Waste
Sent: Thursday, August 27, 2015 12:42 PM
To: Deitz, Randy
Cc: Wells, Suzanne; Gartner, Lois; Stalcup, Dana; Keller, Melanie; Mahmud, Shahid; Hawkins, CherylA; EOC Technical Specialist
Subject: Re: First draft of Q&As, and another question about the Internal Review Report

Randy,

I see that OSWER IO had these Q&A's for the press call, but before we provide them to the Public Information folks at the EOC, can we get confirmation that Mathy has approved for press?

Thank you,

Melanie

From: Hawkins, CherylA
Sent: Thursday, August 27, 2015 11:26 AM
To: EOC Technical Specialist
Cc: Wells, Suzanne; Gartner, Lois; Stalcup, Dana; Keller, Melanie; EOC Solid Waste; Mahmud, Shahid
Subject: FW: First draft of Q&As, and another question about the Internal Review Report

Hi Michele,

In response to your request to Shahid, "The PIO is asking about the status of the Q&A Report that you are preparing," we believe the information below is what they are requesting. Please let them know that these were sent to OSWER IO on Tuesday but we've not received comments back so do not distribute widely and use with the caveat that they are not finalized.

Cheryl A. Hawkins, Ph.D.

Science Policy Branch

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From: Fitz-James, Schatzi

Sent: Thursday, August 27, 2015 10:09 AM

To: Hawkins, CherylA

Cc: Wells, Suzanne; Gartner, Lois; Stalcup, Dana

Subject: FW: First draft of Q&As, and another question about the Internal Review Report

Cheryl:

Here are the questions OSRTI prepared on a quick turnaround basis on Tues to respond to a request from Mathy. These questions have NOT been reviewed, approved or cleared. As such, they may not be posted on the sharepoint site. Please provide the appropriate caveats to Michele when you send them to the EOC. Thanks.

Schatzi

From: Gardner, Monica

Sent: Wednesday, August 26, 2015 7:57 AM

To: Fitz-James, Schatzi

Subject: FW: First draft of Q&As, and another question about the Internal Review Report

Monica Gardner

Acting Deputy Director

Office of Superfund Remediation and Technology Innovation

Office of Solid Waste and Emergency Response

703-603-8718

From: Stanislaus, Mathy
Sent: Tuesday, August 25, 2015 7:15 PM
To: Stalcup, Dana; Breen, Barry; Natarajan, Nitin
Cc: Hilosky, Nick; Brooks, Becky; Gardner, Monica
Subject: RE: First draft of Q&As, and another question about the Internal Review Report

Thanks and yes please date it and send to me. Thanks I appreciate the diligence and quality work

From: Stalcup, Dana
Sent: Tuesday, August 25, 2015 7:14 PM
To: Stanislaus, Mathy; Breen, Barry; Natarajan, Nitin
Cc: Hilosky, Nick; Brooks, Becky; Gardner, Monica
Subject: First draft of Q&As, and another question about the Internal Review Report

Mathy / Barry / Nitin,

We just realized that the submittal memo and report from the internal review team were not dated. Should we date and re-send?

Here is a first draft of some Q&As related to the report. We will watch for input/comments from you and continue discussing within OSRTI and with the team. Thanks – Dana

The Gold King Mine Incident

1. Did EPA actions result in the blowout? It's not a simple yes or no answer. Region 8 assembled clues to the pressurization question and concluded there was minimal pressure.

Decisions were made based on that assumption. The region could have done one more assessment -- to drill from above -- but that was deemed too dangerous (challenging and unstable), would take multiple seasons and required more funds than were available. Since the Red and Bonita Mine was being plugged this year, there was a sense of urgency to measure the change in flows that would be expected to come into the Gold King Mine from the Red and Bonita Mine.

2. Who made the mistake? There is no one individual responsible. A team of EPA, state, and contractors in consultation with the stakeholder group, made the decision, based on the data available, to proceed with the assessment of the mine.

3. Why did they go ahead even though documents show they know there could be a blow-out? The team deemed it safe to proceed based on eight findings/conditions that led to the conclusion that the adit was not pressurized. Therefore they proceeded with low pressure assumptions. Worst case scenarios are always a possibility but were not considered a probability in this situation.

4. Was the OSC being irresponsible? All evidence shows that the OSC(s) are well qualified and experienced in these types of operations. They followed a process of work plan development, including obtaining State and stakeholder consensus, that precluded quick, poorly thought-out actions.

5. Why was the Region involved in site activities? EPA was asked by the state to help out because the Sunnyside mine complex area (of which Gold King Mine is a part) project was deemed too large, complicated and expensive for the State to continue without assistance.

6. Did the Region anticipate a blow out? Although anticipated as it would be in any similar situation, the likelihood of a blow out was deemed small based on the 8 findings of non-pressurized mine water.

7. Why did the Region not wait to get a better handle on the pressurization data before proceeding? The pressurization was thought to be well understood based on the 8 findings of non-pressurization and therefore the team felt it had enough information to move forward. Any additional information that could be obtained through further testing was deemed too dangerous (challenging and unstable), would take multiple seasons and would require more funds than were available.

8. Did the Regions have an action plan in case of a blowout? The blowout was not anticipated because of the 8 factors, so there was no plan in place. Even in the absence of an emergency plan, however, the team acted quickly to ensure there were no injuries to anyone on site.

9. Did the Region follow appropriate steps in carrying out the investigation? Yes, based on the assumption of no pressurization.

The Internal Investigation

10. How were the people chosen for the investigation and what are their qualifications?

The team was composed of two geologists (one Certified Engineering Geologist) and two engineers (one a Professional Engineer) and one attorney, all with extensive mining background. Four of the team members are regional staff; one is from Headquarters.

11. Did HQ influence the independence of the investigation? No, the investigators were given full access to all documents and all people involved.

Dana Stalcup

Director, Assessment and Remediation Division

OSWER/Office of Superfund Remediation and Technology Innovation (OSRTI)

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